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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 MUSIO LUGO GUERRERO,)
a/k/a Miguel Delgado Lopez,)
18 Defendant.)
19 _____)

No. 12-0857 RS

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

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21 On January 15, 2013, the parties in this case appeared before the Court. At that time, the
22 Court set the matter to January 29, 2013. The parties have agreed to exclude the period of time
23 between January 15, 2013 and January 29, 2013 from any time limits applicable under 18 U.S.C.
24 § 3161. The parties represented that granting the exclusion would allow the reasonable time
25 necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties
26 also agree that the ends of justice served by granting such an exclusion of time outweigh the best
27 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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STIPULATION & ~~PROPOSED~~ ORDER EXCLUDING TIME
CR 12-0857 RS

1 At the hearing, the Court made findings consistent with this agreement. SO STIPULATED:

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3 MELINDA HAAG
4 United States Attorney
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6 DATED: January 24, 2013

7 /s/
J. MARK KANG
Special Assistant United States Attorney
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9 DATED: January 24, 2013

10 /s/
ELIZABETH FALK
Attorney for Defendant
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~~PROPOSED~~ ORDER

For the reasons stated above and at the January 15, 2013 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from January 15, 2013 and January 29, 2013 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 1/24/13



THE HONORABLE RICHARD SEEBORG
United States District Judge